

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MOSHE GEIGER,

Plaintiff,

-v.-

EXPERIAN INFORMATION
SOLUTIONS, INC., AMERICAN
EXPRESS CO., and DISCOVER BANK,

Defendants.

20 Civ. 402 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

On January 15, 2020, Plaintiff filed a complaint in this action against Equifax Information Services, LLC (“Equifax”), Experian Information Solutions, Inc. (“Experian”), American Express Co. (“American Express”), Citibank, N.A. (“Citibank”), and Discover Bank. (Dkt. #1). On January 28, 2020, the Court scheduled an initial pretrial conference for April 15, 2020. (Dkt. #5). Experian was served on February 20, 2020, making its answer due March 12, 2020. (Dkt. #12). On March 6, 2020, counsel for American Express entered a notice of appearance on the docket (Dkt. #8), and on March 6, 2020, the Court granted American Express until April 11, 2020, to answer, move, or otherwise respond to the complaint (Dkt. #11). The Court then granted American Express an additional extension to April 24, 2020, to answer, move or otherwise respond to the complaint. (Dkt. #18). On March 17, 2020, Citibank was voluntarily dismissed from this action. (Dkt. #14). On April 3, 2020, the Court adjourned the initial pretrial conference to May 5, 2020. (Dkt. #16). On April 20, 2020, Plaintiff filed a notice of settlement with Equifax (Dkt. #19), and on

April 21, 2020, the Court discontinued this action with respect to Equifax (Dkt. #20).

Accordingly, Defendant Discover Bank remains in the action but has not yet been served; Defendant Experian has been served but has not appeared in the action; and Defendant American Express has appeared in the action but has not filed an answer or otherwise responded to the complaint. On April 28, 2020, the Court reached out to counsel for Plaintiff regarding the status of this action, given the upcoming pretrial conference. Counsel for Plaintiff indicated that: (i) American Express and Plaintiff are conducting settlement negotiations and are close to resolution; (ii) Plaintiff plans to move for default judgment against Experian; and (iii) Plaintiff is investigating issues regarding service on Discover Bank.

For these reasons, the initial pretrial conference scheduled for May 5, 2020, is hereby ADJOURNED *sine die*. The Court will schedule an initial pretrial conference once any defendant has filed a responsive pleading in this case. Further, Plaintiff is hereby ORDERED to file a letter on or before **May 29, 2020**, updating the Court on the status of this action. If Plaintiff intends to move for default judgment, he must do so by order to show cause in accordance with the Court's Individual Rules.

SO ORDERED.

Dated: April 30, 2020
New York, New York



KATHERINE POLK FAILLA
United States District Judge